

Gina M. Corena, Esq.
Nevada Bar No. 10330
gina@lawofficecorena.com
Mark Rouse, Esq.
Nevada Bar No.12273
markr@lawofficecorena.com
GINA CORENA & ASSOCIATES
300 S. Fourth Street, Suite 1400
Las Vegas, Nevada 89101
Telephone: (702) 680-1111
Facsimile: (888) 897-6507
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ISNEY ECHAVARRIA-PEREZ, individually,

Plaintiff,

v.

MICHAEL SOMMERS, individually;
ASSURED AUDIT PEST PREVENTION, LLC,
an Arizona limited liability company;
ASSURED AUDIT PEST PREVENTION
CORPORATION, a California corporation;
DOE DRIVER, individually; MAXWAY
FREIGHT, LLC, a Utah Limited Liability
Company; MAXWAY, INC., a Utah
Corporation; DOES I through X, and ROE
BUSINESS ENTITIES, XI through XX,
inclusive,

Defendants.

CASE NO. 2:25-CV-00063-EJY

**AMENDED STIPULATED DISCOVERY
PLAN AND SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(b)**

The parties submit their proposed discovery plan and scheduling order pursuant to LR 26-1.

Meeting: Pursuant to FRCP 26(f) and LR-26-1(a), a meeting was held on February 6
2025, and was attended by Mark Rouse, Esq., counsel for Plaintiff, Isney Echavarria-Perez;
Stephen Rogers, Esq., Counsel for Defendants Sommers, Assured Audit Pest Prevention, LLC, and
Assured Audit Pest Prevention Corporation; Christine Booze, Esq., Counsel for Defendant
Maxway, Inc.; and, Paul Acker, Esq., Counsel for Defendant Maxway Freight, LLC.

1 **1. Pre-Discovery Disclosures:** Pursuant to FRCP Rule 26(a)(1), the parties will
2 make their pre-discovery disclosures, including but not limited to any computation(s) of damages
3 required pursuant to FRCP 26(a)(1)(A)(iii), by **Thursday, February 20, 2025**.

4 **2. Areas of Discovery:** Discovery should include, but not be limited to: all
5 claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

6 **3. Discovery Plan:** Pursuant to LR 26-1(b)(1), the 180 days of discovery runs
7 from the first time the first defendant answers or otherwise appears. Here, Defendant appeared
8 on January 10, 2025, by filing a Notice of Removal [ECF No. 1]. The discovery deadlines herein
9 have been calculated from that date.

10 **4. Discovery Cut-Off Dates:** The parties propose that discovery must be
11 commenced and completed no later than **Wednesday July 9, 2025**, (180 days after the
12 defendants appeared), and be conducted as follows:

13 A. **Amending the Pleadings and Adding Parties:** The parties shall have until
14 Thursday, April 10, 2025, to file any motions to amend the pleadings to add parties, 90 days prior
15 to the discovery cut-off date, pursuant to LR 26-1(b)(2).
16

17 B. **FRCP 26(a)(2) Disclosures of Experts:** Expert witness disclosures shall
18 be made on or before **Monday, May 12, 2025¹**, 58 days prior to the discovery cut-off.
19 Disclosures regarding rebuttal experts shall be made on or before **Wednesday, June 11, 2025**,
20 30 days after the initial disclosures of experts. The requirements of FRCP 26(a)(2)(B) shall
21 apply to any such disclosures.
22

23 C. **Dispositive Motions:** The parties shall have until **Friday, August 8, 2025**,
24 to file dispositive motions, 30 days after the discovery cut-off. In the event the discovery
25

26 ¹ The date occurring 60 days prior to the close of discovery falls on Saturday, May 10, 2025, and as such,
27 this deadline has been continued to the next judicial day.
28

1 cut-off is extended, the deadlines for filing dispositive motions automatically will be
2 extended until 30 days after the new discovery cut-off date.

3 D. **Pre-Trial Order:** The parties will prepare a consolidated pre-trial order on
4 or before **Monday, September 8, 2025**, which is 30 days after the date set for filing dispositive
5 motions in the case. This deadline will be suspended if dispositive motions are timely filed
6 until thirty (30) days after the decision of the dispositive motions or until further order of the court.
7 The disclosure required FRCP Rule 26(a)(3) and objections thereto, shall be made in the pre-
8 trial order.
9

10 E. **Court Conferences:** If the court has questions regarding the dates
11 Proposed by the parties, the parties request a conference with the court before entry of the
12 scheduling order.

13 F. **Extensions or Modifications of the Discovery Plan and Scheduling Order:**
14 LR 26-3 governs modifications or extensions of this discovery plan and scheduling order. Any
15 stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order
16 must be made not later than twenty-one (21) days before the subject deadline. Any stipulation or
17 motion to extend the discovery cut-off period must be made no later than **Wednesday, June 18,**
18 **2025**, 21 days before the discovery cut-off date.
19

20 **5. Other Items:**

21 A. **Format of Discovery:** Pursuant to the electronic discovery amendments
22 to the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-
23 discovery issues pertaining to the format of discovery at the Rule 26(f) conference. The parties do
24 not anticipate discovery of native files or metadata at this time, but each party reserves the right to
25 request such electronic data as discovery progresses. The parties discussed the potential discovery
26 of native files or metadata and inspection of devices used to store information electronically.
27 Each party reserves the right to request electronic data as discovery progresses.
28

1 **B. Alternative Dispute Resolution:** The parties hereby certify that they met
2 and conferred about the possibility of using alternative dispute-resolution processes including
3 mediation, arbitration, and if applicable, early neutral evaluation (collectively, **ADR**) and
4 determined that ADR is not a viable option at this time.

5 **C. Alternative Forms of Case Disposition:** The parties hereby certify
6 they considered consent to trial by a magistrate judge and use of the short trial program and do not
7 consent to either at this time.
8

9 ///

10 ///

11 ///

GINA CORENA
ASSOCIATES
C

D. Electronic Evidence: The parties intend to present evidence in electronic format. No stipulations have yet been reached. Stipulations, if any, will be provided when the Pretrial Order is filed.

DATED February 26, 2025

GINA CORENA & ASSOCIATES

/s/ Mark Rouse

Gina M. Corena, Esq.
Nevada Bar No. 10330

Mark Rouse, Esq.
Nevada Bar No. 12273
300 S. Fourth Street, Suite 1400
Las Vegas, Nevada 89101
Attorneys for Plaintiff

DATED February 26, 2025

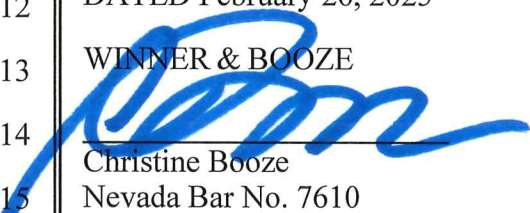
ROGERS, MASTRANGELO, CARVALHO & MITCHELL

/s/ Stephen Rogers

Stephen H. Rogers
Nevada Bar No. 5755
700 South Third Street
Las Vegas, Nevada 89110
Attorneys for Defendants, Sommers and Assured Audit Prest Prevention

DATED February 26, 2025

WINNER & BOOZE


Christine Booze
Nevada Bar No. 7610
1117 South Rancho Drive
Las Vegas, Nevada 89102
Attorneys for Defendant, Maxway, Inc.

DATED February 26, 2025

RESNICK & LOUIS, P.C.

/s/ Paul Acker

Paul Acker, Esq.
Nevada Bar No.
8945 West Russell Road, Suite 330
Las Vegas, Nevada 89148
Attorneys for Defendant, Maxway, Inc.

IT IS SO ORDERED.

Dated: February 26, 2025


UNITED STATES MAGISTRATE JUDGE

GINA CORENA & ASSOCIATES